

CHAPTER 52

R.S.B.C. 1960,
c. 297.An Act to Amend the Private Detectives'
Licensing Act

[Assented to 29th March, 1962.]

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

- Short title. **1.** This Act may be cited as the *Private Detectives' Licensing Act Amendment Act, 1962.*
- Amends s. 2 **2.** Section 2 of the *Private Detectives' Licensing Act*, being chapter 297 of the *Revised Statutes of British Columbia, 1960*, is amended by striking out the definitions of "business of a private detective" and "employee" and substituting:—
 " 'business of a private detective' includes
 "(a) the business of obtaining or furnishing information regarding
 "(i) the personal character or actions of any person; or
 "(ii) the character or kind of the business or occupation of any person;
 "(b) the business of watching, guarding, or patrolling for the protection of persons or property; and
 "(c) the business of doing such other work, either in whole or in part, as is ordinarily done by detectives;
 " 'employee' includes an agent, partner, and in the case of a corporation an officer; "
- Amends s. 3. **3.** Section 3 is amended by striking out clause (d) and substituting:—
 "(d) a watchman, guard, or other person regularly employed to do watching, guarding, patrolling, or detective work for one employer only if that employer is not engaged in the business of a private detective."
- Amends s. 5. **4.** Section 5 is amended by numbering the present section as subsection (1) and adding the following as subsection (2):—
 "(2) No private detective's licence shall be issued unless the Commissioner has taken or caused to be taken a complete set of finger-prints of the applicant."
- Amends s. 7. **5.** Section 7 is amended by renumbering the present section as subsection (1) and adding the following as subsection (2):—

"(2) Where an employee of a licensee engages in the business of a private detective, the licensee shall pay such additional fee, not exceeding twenty-five dollars, for each employee as the Lieutenant-Governor in Council may by regulation determine."

Amends s. 8.

6. Section 8 is amended as follows:—

(a) By striking out subsection (1) and substituting:—

"(1) The applicant shall, prior to the issuance of the licence applied for, deposit with the Superintendent of Insurance security pursuant to this section by way of a bond or policy of an insurer licensed under the *Insurance Act* in the sum of two thousand five hundred dollars for the faithful, honest, and lawful conduct by the applicant of his business of a private detective during the term of the licence applied for."

(b) By renumbering subsection (2) as subsection (3).

(c) By inserting the following as subsection (2):—

"(2) Where an employee of the licensee engages in the business of a private detective, then the amount of the bond or policy required under subsection (1) shall be increased to such sum, not exceeding a total sum of ten thousand five hundred dollars, as the Lieutenant-Governor in Council may by regulation determine."

Amends s. 9.

7. Section 9 is amended by numbering the present section as subsection (1) and adding the following as subsections (2) and (3):—

"(2) Together with each licence there shall be issued to the licensee other than a corporation an identification card in such form as may be prescribed by the Commissioner and showing

"(a) a photograph of the face of the licensee;

"(b) the name and home address of the licensee;

"(c) a brief physical description of the licensee;

"(d) the date of expiration of the licence; and

"(e) the signature of the Commissioner.

"(3) A licensee shall, at all times when acting as a private detective, carry the identification card issued to him under subsection (2) on his person, and shall, on the request of any person to whom he states that he is acting in connection with the business of a private detective or on the request of any peace officer, forthwith produce the identification card for inspection."

Amends s. 11.

8. Section 11 is amended by numbering the present section as subsection (1) and adding the following as subsections (2), (3), and (4):—

"(2) Upon application made by a person licensed as a private detective under this Act, the Commissioner may issue to each employee of that person who acts as a private detective an identification card in such form as may be prescribed by the Commissioner and showing

- “(a) a photograph of the face of the employee;
- “(b) the name and address of the employer;
- “(c) the name and home address of the employee;
- “(d) a brief physical description of the employee; and
- “(e) the signature of the Commissioner.

“(3) No identification card shall be issued for an employee under subsection (2) unless the Commissioner has taken or caused to be taken a complete set of finger-prints of the employee.

“(4) Upon the suspension, revocation, or expiration of a licence issued under this Act, every identification card issued to the licensee and his employees ceases to be valid and shall be forthwith surrendered to the Commissioner.”

Re-enacts
s. 12.

9. Section 12 is repealed and the following substituted:—

“12. (1) Every holder of a private detective's licence shall

“(a) keep a record, in a form prescribed by the Commissioner, of all persons acting or employed from time to time in the carrying-on of the business of a private detective by the holder; and

“(b) file with the Commissioner, upon application for a new licence to replace a licence that is expiring or, in any event, not later than the last day during the month of January in each year a return showing

“(i) the address of each office or other place of business in which he carried on the business of a private detective during the immediately preceding calendar year;

“(ii) the names and addresses of each employee who acted or was employed for or by him during the immediately preceding calendar year; and

“(iii) such other information as may from time to time be prescribed by the Lieutenant-Governor in Council by regulation.

“(2) A licensee under this Act, whenever requested to do so by or on behalf of the Commissioner, shall make all records required to be kept under this Act available for inspection.”

Re-enacts
s. 13.

10. Section 13 is repealed and the following substituted:—

“13. No person shall, within the Province and outside the office or place of business of a licensee, act in connection with or carry on any part of the business of a private detective unless he carries on his person the identification card issued for him under this Act, and every person who is required to carry an identification card under this section shall, on the request of any person to whom he states that he is acting or employed in connection with the business of a private detective or on the request of any peace officer, forthwith produce the identification card for inspection.”

Re-enacts
s. 15.

11. Section 15 is repealed and the following substituted:—

“15. (1) Where the person holding a licence issued under this Act has made any untrue statement in his application for the licence, or violates any provision of this Act, or for any reason is, in the opinion of the Commissioner, unfit to hold the licence, the Commissioner, upon proof to his satisfaction of the untruth, violation, or unfitness, may suspend the licence and all rights of the licensee thereunder for such period as the Commissioner may think fit, or may revoke the licence.

“(2) Where a person to whom an identification card has been issued under this Act has made any untrue statement in connection with the issuance of the card or violates any provision of this Act or for any reason is, in the opinion of the Commissioner, unfit to act as a private detective, the Commissioner, upon proof to his satisfaction of the untruth, violation, or unfitness, may require the immediate surrender of the identification card and, in default thereof, may suspend the licence in connection with which the identification card was issued.”

Re-enacts
s. 16.

12. Section 16 is repealed and the following substituted:—

“16. (1) If any person thinks himself aggrieved by the refusal of the Commissioner to issue a licence under section 9 or by the suspension or revocation of a licence under section 15 or by the refusal of the Commissioner to issue or the requirement by the Commissioner to surrender an identification card, he may appeal to the Lieutenant-Governor in Council by giving notice in writing to the Commissioner and to the Attorney-General of his intention to so do within thirty days after the refusal, suspension, or revocation.

“(2) The Lieutenant-Governor in Council shall hear and determine the matter of the appeal, and his decision is final.”

Re-enacts
s. 19.

13. Section 19 is repealed and the following substituted:—

“19. The Lieutenant-Governor in Council may make regulations for the purpose of carrying into effect the provisions of this Act.”

Repeals s. 21.

14. Section 21 is repealed.